

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

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JOHN J. VAUGHN, GERALD A.  
KALBFLEISCH, MICHAEL HATHAWAY, and  
MYRTLE HATHAWAY,

Plaintiffs,

v.

PUTNAM INVESTMENT MANAGEMENT,  
LLC and PUTNAM RETAIL MANAGEMENT,  
LIMITED PARTNERSHIP

Defendants.

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Civil Action No. 04-10988 (GAO)

**APPENDIX 1 TO PLAINTIFFS' [Revised] MEMORANDUM IN SUPPORT OF MOTION  
TO COMPEL DEFENDANTS TO RESPOND TO FIRST SET OF REQUESTS FOR THE  
PRODUCTION OF DOCUMENTS**

Putnam should produce through the start of trial the documents it has committed to produce in response to the following requests:<sup>1</sup>

Request Nos. 65-67 (annual financial statements for PFTC), 72 (trustee meeting minutes concerning management and/or 12b-1 fees), 75 and 76 (concerning negotiation with trustees of management and/or 12b-1 fees, including trustee consideration of whether or not to approve management contracts or distribution plans), 77, 83 and 84 (fee-related communications with trustees), 78 (addressing criteria or policies utilized by trustees in connection with their consideration of whether or not to approve a management contract and/or a distribution plan) 85 (monthly PIM updates to Trustees Investment Oversight Committees concerning performance of the Funds and information produced by PIM to Trustees' Investment Oversight Committees in connection with trustees' periodic additional review of the Funds' performance), 88-91 and 93 (addressing economies of scale and fall-out benefits as they relate to management fees), 92 (constituting, reflecting or concerning quantification of economies of scale benefits and/or fall-out benefits that Putnam realizes in connection with services to Putnam funds), 125 (Putnam's contracts with independent trustees), and 132 (annual reports of financial statements for each of Funds and annual SAS 70 internal control audits for custody, fund accounting and transfer agency operations).

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<sup>1</sup> Plaintiffs do not have any issues with Putnam's substantive responses to these requests, which commitments are set forth in the parenthesis. (Putnam has also committed in response to many of these requests to produce its fee-related communications, including the "black books", and Operations Finance department documents related to those communications. Plaintiffs have not included those commitments in the parenthesis to avoid redundancy.) The requests are set forth in full in Plaintiffs' First Set of Requests for the Production of Documents, attached to Plaintiffs' [Revised] Memorandum in Support of Motion to Compel as Exhibit A.

Dated: September 11, 2006

Respectfully submitted,

/s/ Lisa A. Furnald

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**CERTIFICATE OF SERVICE**

I, Lisa A. Furnald, hereby certify that on September 11, 2006, a true copy of Appendix 1 to Plaintiffs' [Revised] Memorandum in Support of Motion to Compel Defendants to Respond to First Set of Requests for the Production of Documents was served electronically through the ECF System and by first class mail, postage prepaid, to those counsel of record indicated as non-registered ECF participants.

/s/ Lisa A. Furnald

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